

**RECEIVED
CENTRAL FAX CENTER****PATENT****OCT 13 2004****RESPONSE UNDER 37 C.F.R. 1.116 - EXPEDITED
PROCEDURE - EXAMINING GROUP 1651****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No.: 09/915,997
Applicant(s): Petersen *et al.*
Filed: July 26, 2001
Art Unit: 1651
Examiner: Witz, Jean C.
Title: BONE GRAFT SUBSTITUTE COMPOSITION

Confirmation No.: 1532

Docket No.: 048057/275987
Customer No.: 00826

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES (37 C.F.R. § 43.31)**

Applicant in the above-identified patent application hereby appeals to the Board of Appeals and Interferences from the decision dated July 13, 2004, rejecting the following Claims 43-68.

The fee for this Notice of Appeal under 37 CFR § 41.20(b)(1) is enclosed.

- ☐ Applicant claims small entity Status.
- ☐ A check is enclosed.
(\$340.00 for large entity fee or \$170.00 if small entity status)
- ☒ Please charge Deposit Account No. 16-0605 for the Notice of Appeal Filing Fee.
- ☒ Any additional fee or refund may be charged to our
Deposit Account No. 16-0605.
- ☐ A petition for an extension of time under 37 CFR § 1.134 is enclosed.

Respectfully submitted,


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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office
at Fax No. (703) 872-9306 on the date shown below.

Tracey S. Wright
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10/13/04
Date